

Respondent

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## STATUS CONFERENCE

BEFORE THE HONORABLE PATTI B. SARIS  
UNITED STATES CHIEF DISTRICT JUDGE

## A P P E A R A N C E S:

PATRICK M. CALLAHAN, ESQ., Assistant United States Attorney, Office of the United States Attorney, 1 Courthouse Way, Room 9200, Boston, Massachusetts, 02210, for the Petitioner.

MICHAEL R. SCHNEIDER, ESQ., Good Schneider Cormier,  
83 Atlantic Avenue, 3rd Floor, Boston, Massachusetts, 02110,  
for the Respondent.

United States District Court  
1 Courthouse Way, Courtroom 19  
Boston, Massachusetts 02210  
February 25, 2014, 9:21 a.m.

LEE A. MARZILLI  
OFFICIAL COURT REPORTER  
United States District Court  
1 Courthouse Way, Room 7200  
Boston, MA 02210  
(617) 345-6787

P R O C E E D I N G S

THE CLERK: Court calls Civil Action 13-11530, United States v. Brian Mahoney. Could counsel please identify themselves.

MR. CALLAHAN: Good morning, your Honor. Patrick Callahan for the United States.

MR. SCHNEIDER: Good morning, your Honor. Michael Schneider for Brian Mahoney.

THE COURT: Yes, and he's here. That's great. Thank you very much.

MR. SCHNEIDER: Thanks.

THE COURT: So I received a status report from the government, say yesterday or today. I saw it this morning. I haven't received anything from you yet, Mr. Schneider.

MR. SCHNEIDER: Yes, I thought it would be better for me to be able to confer with Mr. Mahoney today in court and then report to your Honor kind of where I think we stand. I did have an opportunity to meet with Mr. Mahoney out at Devens, FMC Devens, where Mr. Mahoney has unfortunately been in isolation or segregation for -- I think it's 83 days?

THE RESPONDENT: Yes.

THE COURT: 83 days?

MR. SCHNEIDER: Which I have to say I think is compounding a lot of the problems here, and I think it may have been part of the thing that resulted in the unfortunate

1 incident in November because, I mean, there's a lot of  
2 document --

3 THE COURT: Excuse me. Was he in segregation before  
4 that incident in November or as a result of it?

5 THE RESPONDENT: I was just in isolation by  
6 Dr. Channell. There's no disciplinary report at all. He just  
7 took me out of segregation and put me into isolation.

8 MR. CALLAHAN: Your Honor, I think, as of November 22,  
9 he was not in isolation. That's my understanding.

10 MR. SCHNEIDER: I will check that. If I'm wrong, I  
11 will --

12 THE COURT: I just want to know whether it was a  
13 result of what happened in November or whether it was what led  
14 to what happened in November.

15 MR. SCHNEIDER: I just want to say as a general  
16 matter, first of all, with Mr. Mahoney, kind of we apologize  
17 for what went on that date. I think that, you know,  
18 Mr. Mahoney is an extremely intelligent man who understands the  
19 law extremely well. He understands the facts in his cases very  
20 well, and he easily gets frustrated when other people report  
21 things, things that he knows are untrue. And I think that's  
22 something that's kind of pervaded this case from his  
23 perspective, and I think that that sort of triggered him on  
24 that particular date. But he does apologize.

25 I mean, you know, he is a little hard of hearing in

1 one ear, and I think that causes him to speak loudly. He does  
2 speak quickly. He thinks very quickly and he speaks very  
3 quickly, and I think that's been part of the problem.

4 THE COURT: Can I interject for one second. I know  
5 people sometimes don't like using them, but we have these  
6 amplifiers.

7 MR. SCHNEIDER: You know what I think? That would  
8 actually be wonderful.

9 THE COURT: Let's see if it works.

10 THE RESPONDENT: I'm deaf in one ear, Judge, so --

11 THE COURT: You know like when you go to the theater?

12 THE RESPONDENT: Thank you, your Honor.

13 MR. SCHNEIDER: Yes, yes. And, your Honor, you know,  
14 very often when people are hard of hearing, one of the things  
15 that happens is, you tend to shout a little bit when you don't  
16 need to, and I think that that may have been -- I think that's  
17 been part of the problem when he's appeared in court, so this  
18 will be interesting to try.

19 THE COURT: See if it works. Everyone uses it,  
20 judges, jurors, witnesses.

21 MR. SCHNEIDER: Is that good? Excellent. So  
22 hopefully that will help. And I do want to say that  
23 Mr. Mahoney also has been a tremendous help in kind of getting  
24 me ramped up on this case. He knows the case law tremendously.  
25 I mean, he's had some legal preparation courses at Suffolk

1 himself, so he really does understand the legal technicalities  
2 here in a very interesting way.

3 I do want to report that I've also been in touch with  
4 Attorney Andy Schulman, who's representing Mr. Mahoney up in  
5 New Hampshire. As the government indicated in its status  
6 report, there is currently a motion to dismiss. There is a  
7 question that is being litigated up there or being decided up  
8 there as to whether that will be with prejudice with respect to  
9 this so-called federal SORNA charge that had been filed against  
10 him, and that's a matter that probably will be decided in the  
11 coming weeks. I mean, really, that won't be very long.

12 There's also a motion to discharge Mr. Mahoney under  
13 4247(h) -- I think I got that right --

14 THE RESPONDENT: Yes, that's correct.

15 MR. SCHNEIDER: -- a motion to discharge Mr. Mahoney,  
16 and that's also something that will be decided up there. So  
17 certainly I think those issues probably should be decided up in  
18 New Hampshire before anything necessarily needs to be rushed  
19 here. I am going to propose that we do set a date.

20 THE COURT: Can I just check for a minute because I'm  
21 not familiar with that. 4247 --

22 MR. SCHNEIDER: (h), and I will check at the same time  
23 myself.

24 THE COURT: It's 18?

25 MR. SCHNEIDER: 18 U.S.C. So it's basically, after a

1 person has been in confinement for 180 days, it raises the  
2 question as to whether the defendant ought to continue to be  
3 committed, and...

4 (Pause.)

5 THE COURT: I don't know, as I'm reading it, whether  
6 it applies or not. It talks about an acquitted person. It's a  
7 longer provision I would just have to read.

8 MR. SCHNEIDER: Sure.

9 THE COURT: Because he hasn't been acquitted, right?

10 MR. SCHNEIDER: No, there was a question as to whether  
11 the government was going to nolle pros it as opposed to dismiss  
12 the matter. I think it's heading toward a dismissal at this  
13 point, but, you know, whether or not a dismissal would count as  
14 effectively an acquittal under these purposes, I don't really  
15 know. The one thing I would say --

16 THE COURT: And I'm not clear who would decide. I  
17 would have to think about that a lot. I'm happy to have  
18 Judge Laplante decide. That said, I don't know --

19 MR. CALLAHAN: I believe, Judge, 4247(h) requires the  
20 court that committed the individual. At this point the court  
21 that has Mr. Mahoney is the court in New Hampshire, so that  
22 court would be dealing with the motion.

23 THE COURT: Yes, okay, so he will be dealing with it,  
24 okay.

25 MR. CALLAHAN: If it comes to that, and given that

1     there's now a motion to dismiss with prejudice as a result, you  
2     know, solely due to conditions related to his mental condition,  
3     it's unclear right now whether the court will even need to rule  
4     on that or will rule on that.

5             THE COURT:   Okay, so what I've got right now is a case  
6     that's actually been on hold for longer than I would have  
7     liked, partly because of the counsel issue; and I didn't know  
8     where we stood on that because I very much would -- at least  
9     Mr. Mahoney suggests that perhaps, if he had a chance to choose  
10    the person, would want somebody to evaluate him, so that all  
11    that I have isn't what the government's evaluation is, and I  
12    didn't know where you were on all of that.

13            MR. SCHNEIDER:   So, yes, we discussed a lot of those  
14    issues.   If I may just interject one point, then I'll get right  
15    to that --

16            THE COURT:   Yes.

17            MR. SCHNEIDER:   -- which is that I know counsel in  
18    New Hampshire for Mr. Mahoney was looking into the possibility  
19    of whether or not civil commitment under New Hampshire state  
20    law was something that was a possibility or likely to happen.  
21    There's a Disability Rights Center there.   You know, this whole  
22    section of statutes raises federalism issues that's front and  
23    center in the *U.S. v. Comstock* case.   "Necessary and proper"  
24    has generally historically been a pretty thin read  
25    constitutionally to base an entire statute on.

1           THE COURT: You know what my problem with that is,  
2           which is in the sex offender area, which I know we're not  
3           working under that area, I've tried that, and the state doesn't  
4           want to take them, at least in Massachusetts. So will  
5           New Hampshire take people?

6           MR. SCHNEIDER: Well, there is an issue there, and I  
7           think there's very liberal civil commitment statutes up there,  
8           and I know it's just a matter that Attorney Schulman was  
9           looking into.

10          THE COURT: Okay.

11          MR. SCHNEIDER: I just wanted to bring that to your  
12          Honor's attention. I do think that to get to a 4246 hearing in  
13          the first place, I think the government does need to make some  
14          showing that the Attorney General made genuine efforts to make  
15          sure that the state had indicated that it was actually  
16          unavailable, and I think there may be some legitimate  
17          federalism issues.

18          THE COURT: Maybe Bridgewater would be willing to take  
19          him. What do you think?

20          MR. CALLAHAN: Your Honor, as part of the government's  
21          petition, there is a statement by -- and I'd have to look at  
22          the papers -- but there's a statement that there's no suitable  
23          facility that's willing to take Mr. Mahoney at this point. And  
24          that's attached to the petition. And I know it's been an  
25          issue, and in other cases District Courts have urged the



1 Commonwealth to -- you know, over which I guess in a proceeding  
2 like this doesn't have any power because they're not a part of  
3 this proceeding -- but they've urged the Commonwealth to, you  
4 know, in some instances take custody of someone impaired with  
5 mental health issues. And I don't know how much luck they've  
6 had, but what the courts have recognized is that they don't  
7 have the ability to do that, at least in the context of a  
8 proceeding like this.

9 THE COURT: Right, and I've been unsuccessful, at  
10 least in one other case. But it's something to be tried, but  
11 maybe New Hampshire would do it. I don't know. So, anyway,  
12 but let's just get to this because I feel like I've been on  
13 hold since November.

14 MR. SCHNEIDER: So what I would say is this: I think  
15 it makes sense for us to try and pick a date. I'm going to  
16 suggest, because we have discussed the fact that we may want an  
17 expert, if not to evaluate Mr. Mahoney because we think we know  
18 what the true situation is and that we may not need someone to  
19 directly evaluate him, and I'm not sure that Mr. Mahoney wants  
20 that, but I think alternatively we may need an expert to  
21 address some of the instruments that are used, the V-R-A-G, the  
22 VRAG, and the HCR-20. These are the actuarial and clinical  
23 instruments that Dr. Channell was using to basically assert  
24 that Mr. Mahoney had some likelihood of future dangerousness.  
25 And I know that there have been some very serious questions

1 raised in the scientific community about the scientific  
2 reliability and validity of these instruments. And in fact  
3 Judge Wolf in the *Joseph Smith* case, not that long ago, raised  
4 some serious questions about the reliability of these sorts of  
5 instruments under *Daubert*. So we've been discussing that  
6 issue, you know, kind of in terms of the technical legal issues  
7 when we've met. And also Judge Wolf raised some very serious  
8 questions about Dr. Channell and his analysis --

9 THE COURT: Was that a 42 --

10 MR. SCHNEIDER: -- in the *Joseph Smith* case.

11 THE COURT: Was that a 4246 dangerousness, or was that  
12 a sex offender case?

13 MR. SCHNEIDER: I believe that was a 4248 case, but --

14 THE RESPONDENT: No, it was not, your Honor. It was a  
15 4246 dangerousness hearing only.

16 MR. SCHNEIDER: Okay, I apologize. But the fact is  
17 that I think that Judge Wolf's -- and it was Mr. Mahoney who  
18 alerted me to this case -- that Judge Wolf's reasoning in that  
19 case is something that could be very well applicable in this  
20 case once the evidence is developed. So I would suggest by the  
21 end of this hearing that we pick a date. I would be looking  
22 for a date no later than 60 to 75 days, just given my schedule  
23 and the need for -- I want to make sure that we come in  
24 equipped to properly address Dr. Channell's report, and I think  
25 we are going to need, and I've already made initial inquiries

1 about an appropriate psychiatric expert who can address the  
2 reliability under *Daubert* of these instruments, which I think  
3 are a bit hokey and don't necessarily reflect in any kind of  
4 real sense the likelihood of dangerousness on Mr. Mahoney's  
5 part.

6 THE COURT: So as you know -- let me just back up.  
7 Mr. Mahoney has had two prior counsel. He has wanted to  
8 proceed pro se. I had deep concerns about that under the case  
9 law, whether or not someone who was adjudged by another court  
10 incompetent could waive his right to counsel. The government  
11 submitted a brief on the topic. We've done our own research.  
12 And since there's a serious question of competency, I have  
13 appointed you to represent him, and I just wanted to make sure  
14 you knew that. I mean, it's on the docket, but I hadn't seen  
15 you since I did that, and so I'm glad to see you're working so  
16 well together. I really appreciate that. And at least until I  
17 hear otherwise, I will proceed on the basis that you will be  
18 representing him at the dangerousness hearing. And I wanted to  
19 make sure: You haven't filed anything? I sort of asked you if  
20 there were any cases that went the other way and --

21 MR. SCHNEIDER: I haven't filed anything, and I think  
22 maybe the time has come for me to file something. But the  
23 request I would make is this: I feel like, and I know  
24 Mr. Mahoney feels, he knows the facts incredibly well in his  
25 case, and he also knows a lot about the law. I'm obviously an

1 experienced lawyer and have been practicing for a while, and I  
2 would suggest that there is actually a very appropriate way of  
3 proceeding in which -- and I think Mr. Mahoney will agree,  
4 hopefully, because I think it would make sense -- which would  
5 be for me to basically take the lion's share of the initial  
6 examination of the witnesses and cross-examine, and then --  
7 perhaps it's a form of hybrid or not -- to at least allow  
8 Mr. Mahoney either to allocute or to maybe ask his own specific  
9 follow-up questions. I certainly expect that Mr. Mahoney will  
10 remain in the driver's seat while I'm conducting the  
11 examination and will provide me with critical information that  
12 I need to ask the right questions because he knows this case  
13 better than anyone.

14 THE COURT: Well, that's fine, but I at least just  
15 wanted to make sure he knew because after the last hearing,  
16 there was a question of law. I have not received any -- we've  
17 done our own independent research and the government has done  
18 some research, and at least right now, I've appointed you to  
19 represent him at the dangerousness hearing, but I do fully  
20 appreciate that he cares a huge amount and will be deeply  
21 involved at all stages. So I'm happy to proceed on that basis.

22 So at this point you need to file -- okay, I'm going  
23 to put it on you, not him, since I've appointed you and I'm  
24 paying, you know, I provide the funding for an expert. So if  
25 you feel like you need an expert, you need to file the motion

1 and maybe with a name on it. I don't know whether you want two  
2 experts, one on the actuarial instruments and one on the --

3 MR. SCHNEIDER: The clinical?

4 THE COURT: -- the basic issue of dangerousness. I  
5 don't know. You'll have to figure that out, but could you do  
6 that within a week so we can get this going?

7 MR. SCHNEIDER: I believe that should be enough time.

8 THE COURT: Now, typically an expert takes a couple of  
9 months, and plus you're going to have the right possibly to see  
10 the report.

11 MR. CALLAHAN: We would like to have that, you know,  
12 early on, particularly if there's going to be questions. I  
13 mean, this is the first we've heard of questions about the  
14 instruments used in Dr. Channell's report, you know.

15 (Discussion between Mr. Schneider and the respondent.)

16 THE COURT: So you'll talk with him, figure it out,  
17 and then you'll file a motion for funds.

18 MR. SCHNEIDER: Yes.

19 THE COURT: And then the government has the right to  
20 read the report, obviously, before we walk into a hearing. So  
21 just scripting it out, if you file something by, say, a week  
22 from now.

23 THE CLERK: That would be March 4.

24 THE COURT: Yes, March 4. Ideally speaking, you'll  
25 have the name of an expert by then. I've had incredible

1 difficulties in other cases, not necessarily with getting the  
2 expert but then having them have time to do it within what you  
3 think the time framework should be. So let's just say March,  
4 April, May, let's assume you will get a report to us by May,  
5 and we have a hearing sometime in June in the afternoon? Does  
6 that make sense, or is that too --

7 MR. SCHNEIDER: Certainly no later than that. I know  
8 that, you know, I mean, your Honor is well aware, we do want to  
9 move this forward. I know your Honor wants to move this  
10 forward.

11 THE COURT: Let me say no later than that. I mean,  
12 let me just say this: If you want to make it earlier and you  
13 communicate with the expert and it's doable earlier, tell me.  
14 I'm happy to do it earlier.

15 MR. SCHNEIDER: So maybe what we should do is set a  
16 date in early to mid-June, no later than that; and then if  
17 there ends up being a problem with that and I discuss that with  
18 Mr. Mahoney and we want to see if we can set this up earlier,  
19 I'll file a motion to advance and continue the matter.

20 THE COURT: Yes, you can move it up. That's easy.  
21 But I need to give the government enough time to read the  
22 report and possibly respond.

23 MR. SCHNEIDER: Sure.

24 THE COURT: Do you think you'll want your expert, your  
25 doctor to testify?

1 MR. CALLAHAN: Dr. Channell?

2 THE COURT: Yes.

3 MR. CALLAHAN: Yes, in the dangerousness hearing,  
4 absolutely.

5 THE COURT: Yes. And there's at least a chance of one  
6 expert and possibly Mr. Mahoney, right? It's not required by  
7 any means.

8 THE RESPONDENT: I won't be testifying in this case,  
9 your Honor.

10 THE COURT: You won't?

11 THE RESPONDENT: I will not be testifying.

12 THE COURT: All right, so maybe do you think two hours  
13 will be enough? Or is it a full day? What do we think?

14 MR. CALLAHAN: This is for the entire dangerousness  
15 hearing, not any hearing on the underlying instruments?

16 THE COURT: Well, I'm just going to do it all at once.

17 MR. SCHNEIDER: I mean, a *Daubert* hearing and to be  
18 followed, if we move to do it that way --

19 THE COURT: I was going to do it all at once. He  
20 would testify. You'd challenge the instrument, and if I -- I  
21 don't know that -- and if we need a second day, we will. So  
22 what day?

23 THE CLERK: I have two days that are open, June 4 and  
24 5.

25 (Discussion between the Court and Clerk.)

1           THE COURT: How about June 4 all day, if we need to,  
2 at 9:00, unless I'm on trial, in which case I'll do it in the  
3 afternoon, but just block out the day?

4           MR. SCHNEIDER: So June 4 sounds great for me. The  
5 one thing I did want to mention is, it's possible that we may  
6 be subpoenaing some family members. Also, Mr. Mahoney had a  
7 very good relationship and had a very stable situation in the  
8 years prior to being picked up on these charges at a health  
9 center up in New Hampshire, the Avis Goodwin Center in  
10 New Hampshire. So it may be that I may want someone from that  
11 center to come in and discuss how well Mr. Mahoney was doing  
12 there. I'm just letting you know.

13           THE COURT: I mean, is it within the 100 miles? I  
14 don't even know whether -- where in New Hampshire is it?

15           THE RESPONDENT: It's in Somersworth, your Honor.  
16 It's 105 miles.

17           THE COURT: Oh, that specific. Okay, well, I don't  
18 know that the subpoena power will go there, but perhaps they'd  
19 come voluntarily, or let me just -- I don't know the answer to  
20 this, whether the Rules of Evidence apply in a civil commitment  
21 proceeding. My guess is, it's more like a sentencing hearing,  
22 in which case that would be appropriate for them to send in a  
23 letter or affidavit or testify via -- like, we have these  
24 fancy-shmancy video conferencing capabilities, so possibly that  
25 they could testify from there, and, you know, we could hear



1       them here. Okay, so --

2               MR. CALLAHAN: Your Honor, could we --

3               THE COURT: -- was there anything else that we need --  
4       you did a very helpful punch list of the things we needed to  
5       get done. Is there anything else?

6               MR. CALLAHAN: I think, as long as we have a date,  
7       your Honor, and there's going to be some conclusion as to the  
8       experts because I think this expert issue was raised long ago  
9       after there was some objection to Julia Reid acting as the  
10      expert, so if there's going to be an examiner, we would just  
11      like to know who that is.

12              THE COURT: Yes, by next week he'll know.

13              MR. CALLAHAN: And then, in terms of the report, could  
14      we just have some commitment that we would get that within  
15      21 days of the --

16              THE COURT: Sure. By May 15?

17              MR. SCHNEIDER: Sure.

18              THE COURT: Does that seem satisfactory? And then if  
19      for some reason your expert can't get to it before then, you'll  
20      just have to file the appropriate motion. So, ideally  
21      speaking, I would -- it's your call, of course, but I would  
22      certainly authorize payment for two experts. Maybe one person  
23      could do the trick for both of them, or maybe you need two  
24      separate ones.

25              MR. SCHNEIDER: Okay, we'll discuss that and work that

1 through.

2 THE COURT: Yes. Okay, that sounds good. And thank  
3 you very much, Mr. Schneider. Thank you. This is a much  
4 better hearing. Do these things help?

5 THE RESPONDENT: They do, your Honor, and they help in  
6 a lot of senses that, you know, like they said, I think in the  
7 last two status conference hearing report that we did have, I  
8 just want to put it on the record, there was misleading and  
9 accusations that were false and fraudulent in my records. And  
10 I think you mentioned an armed robbery, which never happened.  
11 You mentioned in November 22, 2013, two gun charges. I never  
12 was ever charged with any gun charges. I think the last five  
13 cases that you said I was all acquitted of or it never  
14 happened. And I think that is very, very confusing because if  
15 you're going to have an expert to come in, especially  
16 Dr. Channell, and say, "Hey, I put the guns. It was a  
17 typographical error," which is what Mr. Watkins says -- Of  
18 course, I talked to Mr. Schneider. It was no typographical  
19 error, and he said it was a typographical error, meaning one,  
20 singular. But when you use the English dictionary or the  
21 English language, it's a fundamental tool to determine the  
22 asserts and the intent of statutes and the regulations. So  
23 that's under *Kerry v. Stofford* (Phonetic).

24 But again, your Honor, you know, Mr. Watkins says I  
25 was a very low risk of dangerousness; and when you take those

1     seventeen charges that Dr. Channell said I had, none of them  
2     ever happened, nor was I ever convicted.

3             THE COURT: Thank you. And, you know, you have an  
4     excellent attorney here. I've seen him on several other cases  
5     recently, and he fights for his people, and I'm very glad that  
6     the two of you are getting along so well.

7             THE RESPONDENT: Yeah. No, we are, Judge, but, again,  
8     it's been 40 months, I mean, to have a lawyer like  
9     Mr. Schneider to come on and just all of a sudden, boof, I'm  
10    going to take over a case that's been 40 months that I've lived  
11    and I've been in isolation, and I have had to stay incarcerated  
12    throughout this whole entire time. I think, if you really look  
13    at it, I looked at the case laws that you've done, and I looked  
14    at one that was very interesting. It's a Fourth Amendment  
15    violation of already of what they done to me. And I don't  
16    think it's basically attorneys and taking shifts with attorneys  
17    because I have that option to hire a private counsel, which I  
18    did, but I think under the Fourth Amendment, you know, it's a  
19    violation that I've been in now for a year and a half waiting  
20    for a dangerousness hearing. And you said it in the *United*  
21    *States v. Shields*, you said it was the razor edge, because when  
22    you are seized from the streets of Dover, I never had a public  
23    indictment. I never had a public trial, and I never had an  
24    imposition of a sentence. That's under *Delbert Smith v.*  
25    *United States Supreme Court*. And, you know, I have to get more

1       than what I'm getting, Judge, you know?

2               THE COURT: Well, thank you. Thank you for working so  
3 well with Mr. Schneider and sort of expressing yourself.

4               So we're going to have a hearing. We've got this  
5 thing moving, and you're obviously knowledgeable, and you'll be  
6 able to assist your attorney. So thank you to everybody, and  
7 we will stand in recess.

8               THE CLERK: All rise.

9               (Adjourned, 9:45 a.m.)

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C E R T I F I C A T E

UNITED STATES DISTRICT COURT )  
DISTRICT OF MASSACHUSETTS ) ss.  
CITY OF BOSTON )

I, Lee A. Marzilli, Official Federal Court Reporter,  
do hereby certify that the foregoing transcript, Pages 1  
through 20 inclusive, was recorded by me stenographically at  
the time and place aforesaid in Civil Action No. 13-11530-PBS,  
United States v. Brian Mahoney, and thereafter by me reduced to  
typewriting and is a true and accurate record of the  
proceedings.

Dated this 28th day of May, 2014.

/s/ Lee A. Marzilli

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LEE A. MARZILLI, CRR  
OFFICIAL COURT REPORTER